

## Message Text

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PAGE 01 CAPE T 00413 01 OF 02 181744Z  
ACTION AF-08

INFO OCT-01 EUR-12 IO-13 ISO-00 CIAE-00 DODE-00 PM-04  
H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01  
SP-02 SS-15 USIA-06 COME-00 EB-08 LAB-04 SIL-01  
DHA-02 CU-02 /096 W  
-----181817Z 114703 /50

P R 181612Z MAR 77  
FM AMEMBASSY CAPE TOWN  
TO SECSTATE WASHDC PRIORITY 5841  
INFO AMCONSUL DURBAN  
AMCONSUL JOHANNESBURG  
AMEMBASSY LONDON  
AMEMBASSY PRETORIA  
USMISSION USUN NEW YORK

LIMITED OFFICIAL USE SECTION 1 OF 2 CAPE TOWN 0413

E.O. 11652: N/A  
TAGS: PINT PINS SF  
SUBJ: NEWSPAPER BILL

REF: A) CAPE TOWN 0366, B) CAPE TOWN 0399, C) PRETORIA 1266

SUMMARY: INTRODUCTION OF NEWSPAPER BILL IN PARLIAMENT MARCH 11 (REF A) HAS SPARKED BITTER AND CONTINUING CONTROVERSY. ENGLISH PRESS HAS BEEN STRONGLY CRITICAL, BOTH OF SAG INTENTIONS AND OF PRINCIPLE OF STATE INTERFERENCE. SOME AFRIKAANS PAPERS HAVE BEEN EQUALLY BLUNT IN OPPOSING BILL ON PRINCIPLE, BUT MOST HAVE TAKEN MORE CONCILIATORY LINE OF ACCEPTING SAG CLAIM THAT PURPOSE OF BILL IS MERELY TO RESTRAIN "IRRESPONSIBLE" ELEMENTS WHILE QUESTIONING WHETHER BILL IS BEST WAY TO DO IT. IN MEANTIME NEWSPAPER PRESS UNION (NPU), WHICH MADE UP OF OWNERS OF ALL PAPERS INSOUTH AFRICA, HAS AGREED TO RESUME DISCUSSIONS WITH PRIME MINISTER VORSTER ON MARCH 21 ON DETAILS OF BILL. NPU HAD PREVIOUSLY

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PAGE 02 CAPE T 00413 01 OF 02 181744Z

REFUSED TO DISCUSS MERITS OF BILL ON GROUNDS IT WAS OPPOSED IN PRINCIPLE TO STATUTORY CONTROL. SAG CLEARLY HOPES TO BREAK UP UNITY BETWEEN AFRIKAANS AND ENGLISH PRESS ON THIS ISSUE AND TO FORCE PRESS TO "VOLUNTARILY" ENFORCE THE KING OF RESTRICTIONS CONTAINED IN BILL. IF PRESS WILL NOT ACQUIESCE, SAG WILL PROBABLY PUSH BILL THROUGH PARLIAMENT.

END SUMMARY.

1. REF A REPORTED INTRODUCTION OF NEWSPAPER BILL IN PARLIAMENT MARCH 11 AND UNUSUAL STEP TAKEN BY UP AND PRP OF OPPOSING BILL ON FIRST READING. IN FOLLOWING WEEK THERE HAS BEEN STORM OF CRITICISM FROM PARLIAMENTARY OPPOSITION, PROMINENT INDIVIDUALS SUCH AS AUTHORESS MARY RENAULT AND PRESS ITSELF (REF C). AT SAME TIME, NPU HAS RESPONDED TO TOUGH LINE TAKEN BY INTERIOR AND INFORMATION MINISTER CONNIE MULDER WHO SAID THAT SAG WOULD PROCEED WITH BILL UNLESS NPU (A) "FORMALLY APPROACHED" THE PRIME MINISTER TO REQUEST FURTHER DISCUSSION AND (B) AGREED THAT NEGOTIATIONS WOULD BEGIN AT POINT WHERE THEY BROKE OFF, I.E., DISCUSSION OF THE CONTENTS OF PROPOSED BILL. NPU HAD UNTIL NOW REFUSED TO DISCUSS CONTENTS OF BILL SINCE IT OPPOSED IN PRINCIPLE TO STATUTORY CONTROLS. IT HAS NOW ASKED FOR AND BEEN GRANTED MEETING WITH PRIME MINISTER TO BE HELD MARCH 21.

2. VORSTER HAS WELL-KNOWN ANTIPATHY TOWARD ENGLISH PRESS WHICH HE HAS EXPRESSED FROM TIME TO TIME OVER THE YEARS. AT ONE POINT IN 1973 MULDER THREATENED TO "TAKE NEWSPAPERS OFF THE STREETS" IF THEY DID NOT HEED PRIME MINISTER'S WARNING ABOUT PRESS "LICENSE." IN AUGUST, '74 NPU ESTABLISHED VOLUNTARY CODE WHICH, WITH A BOW TOWARD SAG CONCERNS, INCLUDED CLAUSE WHICH SAID "DUE CARE AND RESPONSIBILITY" MUST BE USED IN REPORTING MATTERS WHICH COULD STIR HOSTILITY BETWEEN RACIAL, CULTURAL OR RELIGIOUS GROUPS. CODE, ADMINISTERED BY NPU, CARRIED PROVISIONS LIMITED OFFICIAL USE

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PAGE 03 CAPE T 00413 01 OF 02 181744Z

FOR FINE OF UP TO R10,000 AGAINST OFFENDING PAPERS. REPORTING OF LAST YEARS'S UNREST AGAIN AROUSED PRIME MINISTER'S CONCERN AND SAG AGAIN CALLED FOR NEGOTIATIONS WITH NPU. NPU AGREED TO DISCUSS WAYS OF "IMPROVING" VOLUNTARY CODE WHILE SAG INSISTED ON DISCUSSING SOME SORT OF STATUTORY CONTROL. NPU SUBMITTED A "REVISED" CODE TO SAG IN NOVEMBER '76. WHEN MEETINGS RESUMED ON FEBRUARY 17 THIS YEAR SAG SURFACED A DRAFT BILL VERY SIMILAR TO ONE CURRENTLY BEFORE PARLIAMENT. NPU CONTINUED OPPOSE STATUTORY CONTROL IN PRINCIPLE AND THUS REFUSED DISCUSS DETAILS OF SAG BILL. ON MARCH 8 NEGOTIATIONS WERE BROKEN OFF AND ON MARCH 11 SAG INTRODUCED BILL IN PARLIAMENT.

3. ENGLISH PRESS AND OPPOSITION SPOKESMEN HAVE, AS EXPECTED, SHARPLY ATTACKED THE BILL ON PRINCIPLE AND ARGUED THAT IT WILL REMOVE ONE OF REMAINING FACTORS (I.E., PRESS FREEDOM) WHICH DISTINGUISHED SAG FROM AFRICAN DICTATORSHIPS. REFERRING TO NEW PRESS COUNCIL

TO BE ESTABLISHED, "CAPE TIMES" DEPUTY EDITOR, GERALD SHAW, A PARTICULAR "BETE NOIRE" OF SAG, CALLED IT "MULDER'S KANGAROO COURT" WHICH WOULD AMOUNT TO "UNFETTERED STATE POWER" TO CLOSE DOWN NEWSPAPERS WHICH DISPLEASE THE NATIONALIST GOVERNMENT. IN GENERAL, ENGLISH PRESS HAS STRONGLY CRITICIZED PRINCIPLE OF STATUTORY CONTROL WHILE ASSURING SAG OF WILLINGNESS TO CONTINUE DISCUSSIONS ON WAYS TO IMPROVE VOLUNTARY PRESS CODE.

4. AFRIKAANS PRESS WHICH ALSO OPPOSED TO STATUTORY CONTROL, REFLECTED GREATER VARIETY OF REACTION. SOME, SUCH AS EDITOR OF "VADERLAND," DIRK RICHARD, BLUNTLY CRITICIZED THE BILL, SAYING IT WOULD "STRANGLE" INDIVIDUAL FREEDOM AND TURN SOUTH AFRICA INTO A "SPIRITUAL JAIL." BEN SCHOEMAN, FORMER TRANSPORT MINISTER AND BOARD CHAIRMAN OF PERSKOR, ONE OF TWO LARGEST GROUPS OF AFRIKAANS PAPERS, REJECTED LIMITED OFFICIAL USE

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PAGE 04 CAPE T 00413 01 OF 02 181744Z

MULDER'S ARGUMENTS AND SAID BILL IS AIMED AT ESTABLISHING PRESS CENSORSHIP. SCHOEMAN APPARENTLY SPOKE IN HIS PERSONAL CAPACITY, HOWEVER, AND NOT FOR PERSKOR BOARD WHICH INCLUDES MULDER AND TWO OTHER SAG MINISTERS AS MEMBERS. MAJORITY OF AFRIKAANS PRESS GENERALLY CREDITED SAG WITH GOOD INTENTIONS, CONCURRED IN ITS CRITICISM OF IRRESPONSIBILITY ON PART OF "CERTAIN (READ ENGLISH) SEGMENT" OF PRESS, BUT EXPRESSED CONCERN OVER HARM WHICH WILL BE DONE TO SOUTH AFRICA ABROAD BY THOSE WHO WILL INTERPRET BILL AS AIMED AT CURBING FREEDOM OF PRESS. THREE AFRIKAANS PAPERS IN JOHANNESBURG STRESSED THAT "UNITY" WITH ENGLISH PRESS EXTENDED ONLY TO OPPOSING BILL AS INTRODUCED.

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PAGE 01 CAPE T 00413 02 OF 02 181725Z

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P R 181612Z MAR 77  
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LIMITED OFFICIAL USE SECTION 2 OF 2 CAPE TOWN 0413

5. IN PRESENTING SAG DEFENSE OF BILL, MULDR HAS REPEATEDLY CLAIMED THAT AIM IS NOT TO "CURB OR CONTROL" PRESS BUT TO ESTABLISH "RESPONSIBILITY" AND CURB ABUSES BY "A FEW INDIVIDUALS AND NEWSPAPERS" - A GENERALLY-UNDERSTOOD REFERENCE TO ENGLISH PAPERS. MULDER SAID THAT BY ENSURING "RESPONSIBILITY," FREEDOM OF PRESS WILL IN FACT BE PROTECTED AND PRESERVED. MULDER SAID SAG "NOT TRYING TO PREVENT CRITICISM OF FREEDOM OF PRESS." BILL WOULD SIMPLY PREVENT "TWISTING OF FACTS, PRESENTATION OF HALF TRUTHS OR PRESENTATION OF TRUTHS WHICH PUT AN INCORRECT ANGLE ON A MATTER." HE SAID "NO DISCIPLINED, LOYAL, RESPONSIBLE JOURNALIST WILL HAVE ANY TROUBLE WITH THIS LAW." BILL WOULD PREVENT ECONOMIC SABOTAGE, BLACKENING OF SOUTH AFRICA'S NAME ABROAD AND DISRUPTION OF RACE RELATIONS. MULDER SAID PRESS FREEDOM AND RIGHT OF CRITICISM ARE "SPECIFICALLY GUARANTEED" BY THIS BILL.

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PAGE 02 CAPE T 00413 02 OF 02 181725Z

6. IN CONVERSATION WITH AMBASSADOR AND CONGENOFF, SHAW AND "CAPE TIMES" EDITOR TODY HEARD SAID THAT "SO FAR" NPU HAD BEEN "SURPRISINGLY UNANIMOUS" IN REJECTING PRINCIPLE OF STATUTORY CONTROL. THEY FELT THAT SAG WAS "GENUINELY CONCERNED" ABOUT THIS IMAGE ABROAD AND AS RESULT HAD GONE TO GREAT LENGTHS TO PRESENT BILL AS PROTECTING FREEDOM OF THE PRESS. THEY CONCEDED THAT EFFORT NOT VERY SUCCESSFUL. BOH FELT THAT SAG'S PURPOSE IN ABRUPTLY BREAKING OFF NEGOTIATIONS AND INTRODUCING BILL IN PARLIAMENT MAY HAVE BEEN TO SHOCK NPU INTO AGREEING TO MUCH STRICTER SELF-REGULATION. AS TO WHAT MIGHT HAPPEN IF BILL PASSES, HEARD SAID "TIMES" WOULD CARRY ON AS USUAL BUT HE CONCEDED THAT OWNERS, WHEN FACED WITH LOSS OF VERY SUBSTANTIAL ASSETS, MIGHT UNDERSTANDABLY FEEL COMPELLED TO BACK DOWN.

7. COMMENT: WHETHER SAG INTENDS TO PRESS AHEAD WITH BILL IN ITS PRESENT FORM WILL DEPEND ON NPU WILLINGNESS TO BECOME ITS OWN POLICEMAN BY ENFORCING, ON A "VOLUNTARY" BASIS, SOMETHING LIKE THE TOUGH RESTICTIONS CONTAINED IN BILL. SINCE MOST OUTSPOKEN ELEMENT OF ENGLISH PRESS UNLIKELY TO BE SERIOUSLY DETERRED BY ANYTHING SHORT OF DIRECT GOVERNMENT MUZZLE, SAG MAY ULTIMATELY BE FORCED TO PASS THE BILL. IT HAS ALREADY WILLINGLY INCURRED CONSIDERABLE OBLOQUY ABROAD AND IS UNLIKELY TO BE DETERRED BY FURTHER CONSIDERATIONS OF OVERSEAS OPINION.BOWDLER

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## Message Attributes

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**Review Markings:**  
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